

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

-----	:	
UNITED STATES OF AMERICA	:	
	:	CASE NO. 5:05 CR 131
Plaintiff	:	
	:	
-VS-	:	
	:	
JACALYN ROTHMAN	:	<u>ORDER ACCEPTING PLEA AGREEMENT</u>
	:	<u>AND JUDGMENT AND NOTICE OF</u>
Defendant	:	<u>HEARING</u>
-----	:	

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Patricia A. Hemann regarding the change of plea hearing and plea agreement of Jacalyn Rothman which was referred to the Magistrate Judge with the consent of the parties.

On 16 March 2005, the government filed a one-count indictment against Jacalyn Rothman for conspiracy to possess with the intent to distribute and distribution of a controlled substance in violation of 21 U.S.C. § 846. On 18 April 2005, a hearing was held in which Jacalyn Rothman entered a plea of not guilty before Magistrate Judge William H. Baughman, Jr. On 24 May 2006, Magistrate Judge Hemann received Jacalyn Rothman's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Jacalyn Rothman is found to be competent to enter a plea. She understands her constitutional rights. She is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Jacalyn Rothman is adjudged guilty of Count One, in violation of 21 U.S.C. § 846.

Sentencing will be:

21 August 2006 at 10:30 a.m.

**Courtroom 18-A
18th Floor the United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 15 June 2006